

## **DECLARATION of SEAN CUMMINGS**

I, Sean Cummings, do hereby declare:

### **BACKGROUND/EXPERIENCE**

1. I am a Special Agent (SA) with the Drug Enforcement Administration (DEA) and have been since 1999. Prior to this, I was a Police Officer and Detective at the Eureka Police Department in Eureka, California. My current assignment is at the Eugene Resident Office in Oregon. My training and experience includes completion of the DEA basic training academy. This training included the investigation, detection, and identification of controlled substances. I have consulted and conversed with several other agents and officers from various local, state, and federal agencies on various drug cases, including the distribution of heroin, cocaine, methamphetamine, marijuana, and other controlled substances. As a result of this and my own experience and training, I am familiar with heroin, cocaine, methamphetamine, marijuana, other controlled substances, and the methods employed by traffickers of these narcotics.

### **PURPOSE OF THIS DECLARATION**

2. This declaration is submitted in support of a complaint *in rem* for forfeiture of the property located at 90480 Deadwood Creek Road, Deadwood, Oregon:

All the situated in the County of Lane, State of Oregon:  
Parcel 2, LAND PARTITION PLAT NO. 90-P0024, in the County of Lane and State of Oregon.

3. In this declaration I will demonstrate, based on the evidence I have reviewed, that there is probable cause to believe, and I do believe that the property located at 90480 Deadwood Creek Road, Deadwood, Oregon, (hereinafter "Subject Property") was used or intended to be used to facilitate the illegal production, conversion, and distribution of marijuana, and in

violation of 21 U.S.C. §§ 841, 846, and 856, and is therefore subject to forfeiture pursuant to 21 U.S.C. § 881(a)(7).

4. The facts in this declaration come from my personal observations, my training and experience and information obtained from other agents, deputies, and officers. This declaration is for the limited purpose of establishing probable cause. Therefore, I have not set forth each fact learned during the investigation, but only those facts and circumstances necessary to establish probable cause.

#### **REAL PROPERTY ASSESSMENT REPORT**

5. The Lane County Assessor's Summary Report for 2023 shows Ri Ming Mai (hereinafter "Mai") as the owner for the Subject Property at 90480 Deadwood Creek Road, Deadwood, Oregon. The mailing address on the Regional Land Information Database (RLID) for Mai is on 78th Street in Brooklyn, New York.

6. A general description of the property is as follows:  
  
A tract of land situated at 90480 Deadwood Creek Road, Deadwood, Lane County, Oregon, more fully described as approximately 13.10-acre parcel that contains a four-bedroom, three bathroom house that is 3,280 square feet, that is white in color, a second residence that has three bedrooms, 1.5 baths and is 1,264 square feet that is brown in color as well as a large barn that is red in color, and several other outbuildings. The entrance to 90480 Deadwood Creek is marked with the metal address post with the numbers "90480" on it. The property is located on the West side of Deadwood Creek Road north of Highway 36. According to the Lane County real property tax statement, the property is at Map and Tax Lot: 17-09-10-00-00401, under account number 0528115, and is listed as owned by Mai.

## **SUMMARY OF THE INVESTIGATION**

7. In January of 2023, the Lane County Sheriff's Office (LCSO) received an anonymous tip regarding the strong odor of marijuana coming from the Subject Property located at 90480 Deadwood Creek Road, Deadwood, Lane County, Oregon. In March of 2023, the State Watermaster's Office forwarded information to the LCSO indicating a complainant had called them to report a large-scale illegal marijuana grow at the Subject Property. LCSO Sergeant Combs and Detective McQuillan went to the area and were able to smell the strong odor of green growing marijuana. Sergeant Combs and Detective McQuillan spoke with area residents who reported that the new owners of the Subject Property had paid Blachly-Lane Electric for massive power upgrades to the property.

8. In May of 2023, Detective McQuillan, Detective Schenfeld, and Sergeant Combs conducted surveillance on a Hertz rental vehicle from the Subject Property on Deadwood Creek to Eugene. During the surveillance two individuals, later identified as Mai and Yuan Chang Chen (hereinafter "Chen"), went to the Hertz dealership and exchanged the rental vehicle for another rental vehicle. The two then departed Hertz back towards the Subject Property. I spoke with Sergeant Combs who told me he believes this to be important because it is common for those who transport and sell illegal drugs to use rental vehicles to do so.

9. According to the Lane County property database Mai purchased the property on December 20, 2020, for \$810,000. A search of other financial databases revealed that Mai may have paid \$243,000 as a down payment for the property.

10. In January and September of 2023, Detective McQuillan emailed the Oregon Liquor and Cannabis Commission (OLCC) and the Oregon Medical Marijuana Program (OMMP) and learned the Subject Property was not in their databases as a registered grow site

and any cultivation of marijuana above the legal personal limit at the Subject Property would be considered illegal in the State of Oregon.

11. In May and October of 2023, LCSO received power and subscriber information from Blachly-Lane Electric Cooperative. The records show Mai is the subscriber with the account activation date of January 27, 2021. The Subject Property monthly power usage was varied between a low of 17,161 KWH and a high of 65,054 KWH. According to Lane Electric Cooperative, the average monthly kilowatt-hour usage for a residential customer is approximately 1,300 KWH, and the Oregon Department of Energy states the average Oregon household uses about 1,000 KWH per month. According to Blachly-Lane the payments on the account were made by credit card through December of 2022. Beginning in January of 2023, all payments were paid in cash. This is not unusual for marijuana traffickers as they commonly refrain from using normal means of banking and deal primarily in cash.

12. In October of 2023, Mai and Chen were stopped by the Oregon State Police (OSP) on Northbound Interstate-5 in Linn County, Oregon. During that encounter, the OSP Trooper found Mai and Chen in possession of about 90 pounds of dried processed marijuana bud which they subsequently seized. Mai was cited and released. Mai was again found to be driving a Hertz rental vehicle during this traffic stop.

13. On October 27, 2023, LCSO and the Drug Enforcement Administration (DEA) Eugene Resident Office (ERO) executed a State of Oregon search warrant at the Subject Property. During the execution of the warrant, they contacted and detained Mai, Chen, and an additional adult male, Zhongxiang Li.

14. During the execution of the State of Oregon search warrant, 2,906 growing marijuana plants were seized and destroyed. Detectives found that the Subject Property

including a primary residence, large hay barn and a cottage style secondary residence, had been converted into marijuana cultivation operations.

15. Detective McQuillan interviewed Mai who admitted to buying the property for the sole purpose of manufacturing marijuana. Mai stated he moved from New York to grow marijuana in Oregon. Mai said he averages approximately 80 pounds of marijuana bud harvested per month and sells it in the Portland area for \$400 per pound. He would not provide names, phone numbers, or addresses for the individual(s) who purchase his product in the Portland area. Mai said he makes about \$32,000 per month selling the harvested marijuana from the Subject Property. He said the marijuana sales are his sole income. Mai pays Chen and Li around \$3,000 each per month to assist with tending to the marijuana plants. Mai said he pays around \$7,000 per month in electricity, \$4,000 for the mortgage and pays for his family's expenses back in New York. Mai travels to New York monthly. Mai said he paid Blachly-Lane \$17,000 to run a three-phase power supply to the Subject Property to power the grow lights. Mai stated he intends to sell the Subject Property as soon as possible and return to his home in New York. Chen and Li both advised Detective McQuillan that Mai is their boss and pays them to assist with the cultivation. They corroborated statements made by Mai regarding payment and deliveries made to the Portland area.

### **CONCLUSION**

16. The evidence in this declaration provides probable cause to believe, and I do believe that the Subject Property was used or intended to be used to facilitate the illegal production, conversion, and distribution of marijuana, in violation of 21 U.S.C. §§ 841, 846, and 856, and is therefore subject to forfeiture pursuant to 21 U.S.C. § 881(a)(7).

I declare under penalty of perjury that the foregoing is true and correct pursuant to  
28 U.S.C. § 1746.

Executed this 11th day December 2023.

s/ Sean Cummings  
Sean Cummings  
Special Agent  
Drug Enforcement Administration